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| SERIAL NUMBER | FILING DATE | FILE NAME INVENTOR | FILE NO. |
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| 07/103,192 | 10/01/87 | BERGMAN | L JFL87-008 |

DONALD A. STRECK
2319 ALAMEDA AVE.
SUITE 2F
VENTURA, CA 93003

KRIESS, K

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DATE MAILED 11/21/90

This is a communication from the examiner in charge of your application.
COMMISSIONER OF PATENTS AND TRADEMARKS

☒ This application has been examined ☒ Responsive to communication filed on 8-9-90 ☐ This action is made final.

A shortened statutory period for response to this action is set to expire 3 month(s), _____ days from the date of this letter. Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

1. ☒ Notice of References Cited by Examiner, PTO-892. 2. ☐ Notice re Patent Drawing, PTO-948.
3. ☐ Notice of Art Cited by Applicant, PTO-1449. 4. ☐ Notice of Informal Patent Application, Form PTO-152
5. ☐ Information on How to Effect Drawing Changes, PTO-1474. 6. ☐

Part II SUMMARY OF ACTION

1. ☒ Claims 1-4, 6-12 and 14-41 are pending in the application.
- Of the above, claims 6-10, 14-18 and 24-36 are withdrawn from consideration.
2. ☒ Claims 5, 13, and 23 have been cancelled.
3. ☐ Claims _____ are allowed.
4. ☒ Claims 1-4, 11, 12, 19-22 and 37-41 are rejected.
5. ☐ Claims _____ are objected to.
6. ☐ Claims _____ are subject to restriction or election requirement.
7. ☐ This application has been filed with informal drawings under 37 C.F.R. 1.85 which are acceptable for examination purposes.
8. ☐ Formal drawings are required in response to this Office action.
9. ☐ The corrected or substitute drawings have been received on _____. Under 37 C.F.R. 1.84 these drawings are ☐ acceptable; ☐ not acceptable (see explanation or Notice re Patent Drawing, PTO-948).
10. ☐ The proposed additional or substitute sheet(s) of drawings, filed on _____, has (have) been ☐ approved by the examiner; ☐ disapproved by the examiner (see explanation).
11. ☐ The proposed drawing correction, filed _____, has been ☐ approved; ☐ disapproved (see explanation).
12. ☐ Acknowledgement is made of the claim for priority under U.S.C. 119. The certified copy has ☐ been received ☐ not been received ☐ been filed in parent application, serial no. _____; filed on _____.
13. ☐ Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.
14. ☐ Other _____

1. Claims 1-4 and 37 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
2. Claims 1 and 37 contain much functional language not supported by recitation in the claim of sufficient structure to warrant the presence of the functional language in the claim. Part b) of both claims 1 and 37 seem to describe in functional terms the many functions of the "element selection logic means" without setting forth any structural limitations which could serve to distinguish in some patentable sense.
3. Claims 1-4, 11-12, 19-22, 37 and 38 are rejected under 35 U.S.C. § 103 as being unpatentable over Gordon.
4. Gordon teaches a control processor very similar to Applicant's claimed computer and method of operation. Gordon teaches the invention substantially as claimed including accessing instructions (microinstructions) from a sequence, determining a function for each instruction, determining a class of each function (type of microinstruction), and executing the instruction in an optimum manner. See abstract of Gordon. It is noted that Gordon does not disclose of the individual elements being on a common support substrate as is claimed. However, it is common knowledge in the prior art to form a given processing system on a common substrate in the same field of endeavor for

the purpose of integrating the system into a more simplified package. It would have been obvious to one having ordinary skill in the art at the time the invention was made to form the system of Gordon on a common substrate in order to integrate the system into a more simple package, and thus form a system and method on which the claims read.

5. Claims 39-41 are rejected under 35 U.S.C. § 103 as being unpatentable over Gordon in view of McAulay.

6. Gordon discloses the invention substantially as claimed, as above, but does not disclose transmitting and switching signals optically to various elements handling the routines. However, McAulay teaches the use of optical interconnections for processing communication transmissions and switching for the purpose of faster more efficient dynamic reconfigurability. It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Gordon's signal interconnections with optical interconnections as taught by McAulay in order to provide Gordon with faster and more efficient signal routing and thus form a system and method on which the claims read.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin A. Kriess whose telephone number is (703) 308-3098.

Serial No. 103192

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Art Unit 237

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-0754.

KAK
KAK/jrm
November 14, 1990


KEVIN A. KRIESS
EXAMINER
ART UNIT 237